



Application No.: 09/785,094

Docket No.: SONY 3.0-014

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 15, 2006

Signature:

(Raymond B. Churchill, Jr.)

Docket No.: SONY 3.0-014  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Gregory D. Gudorf

Application No.: 09/785,094

Confirmation No.: @@@

Filed: February 16, 2001

Art Unit: 2157

For: METHOD AND SYSTEM FOR REMOTE  
ACCESS OF PERSONAL MUSIC

Examiner: H. A. El Chanti

**SUPPLEMENTAL DECLARATION OF**  
**GREGORY D. GUDORF UNDER 37 C.F.R. §1.131**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Gregory D. Gudorf, hereby declare that:

1.I have previously held the position of Vice President at Sony Electronics Inc., ("SEL"), the assignee of currently pending U.S. Patent Application No. 09/785,094 ("the '094 application") filed on February 16, 2001, which claims the benefit of the May 12, 2000 filing date of U.S. Provisional Patent Application no. 60/203,684 ("the '684 application").

2.I am the sole inventor of the invention described and claimed in the '094 application, which I invented during my employment with SEL.

3.I conceived of the invention disclosed and claimed in the '094 application prior to January 7, 2000, during my employment as vice president for SEL.

4.Attached as Exhibit A is a true and correct copy of a written summary of the claimed invention which was filed as part of the '684 application. The written summary in Exhibit A was prepared by me on a date prior to January 7, 2000. The document was provided by me to the Intellectual property department of SEL for filing in a patent application prior to January 7, 2000.

5.I understand that upon reviewing Exhibit A, the Examiner is under the current impression that the exhibit does

not indicate a conception for the aspects of the claims relating to (b) associating audio files with identification information, (c) storing audio files at a central location on at least a portion of a storage media uniquely associated with the identification information and (d) receiving at the central location the identification information from a second device.

6. I submit this declaration to clarify these issues.

7. As it relates to associating audio files with identification information, from its inception as identified in Exhibit A, the "Your Music ... Anywhere" concept was at least intended for users to be able to access their own music files that they uploaded to a central "Your Music Server." In order to make certain that each user had access to their own music, the "Your Music Server" was intended to operate securely such that it would deliver the music to the user that uploaded the music. The reference to "secure operation" on page 8 of the exhibit was intended to identify that the user would be able to access her own music file based on some form of security information, such as username and password, that would be associated with gaining access to the particular audio files. At least this association of audio files with identification information was conceived by me at least as early as a time prior to January 7, 2000.

8. With regard to storing audio files at a central location on at least a portion of a storage media uniquely associated with the identification information, in accordance with the concept of the "Your music Server", each user's music files were at least intended to be stored on a per user basis and accessed securely as previously discussed. Exhibit A describes such a concept with regard to its reference to "server-side cost elements" which mentions the "storage per average consumer" on page 8 of exhibit A. In short, a storage of audio files at a central "Your music Server" for a user and its association with the security information of the user was conceived by me at least as early as a time prior to January 7, 2000.

9. With regard to receiving at a central location, identification information from a second device, the "Your Music Server" was intended to deliver the user's music to the user's device, such as a PDA or other Internet accessible device, if the user of the device could provide the security information with the device in accordance with the plan for secure operation. This is illustrated in the figures on page 7 of Exhibit A. As it relates to the invention, receiving

identification information at the "Your music Server" from another device was conceived by me at least as early as a time prior to January 7, 2000.

10. To summarize, as evident from Exhibit A, all of the elements of at least claims 1, 31, 42 and 51 were conceived by me prior to January 7, 2000.

11. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true. Further, all statements herein were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of any patent which may issue from the present invention.

Date:

3/9/06

  
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Gregory M. Gudorf

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# **Your Music ... Anywhere**

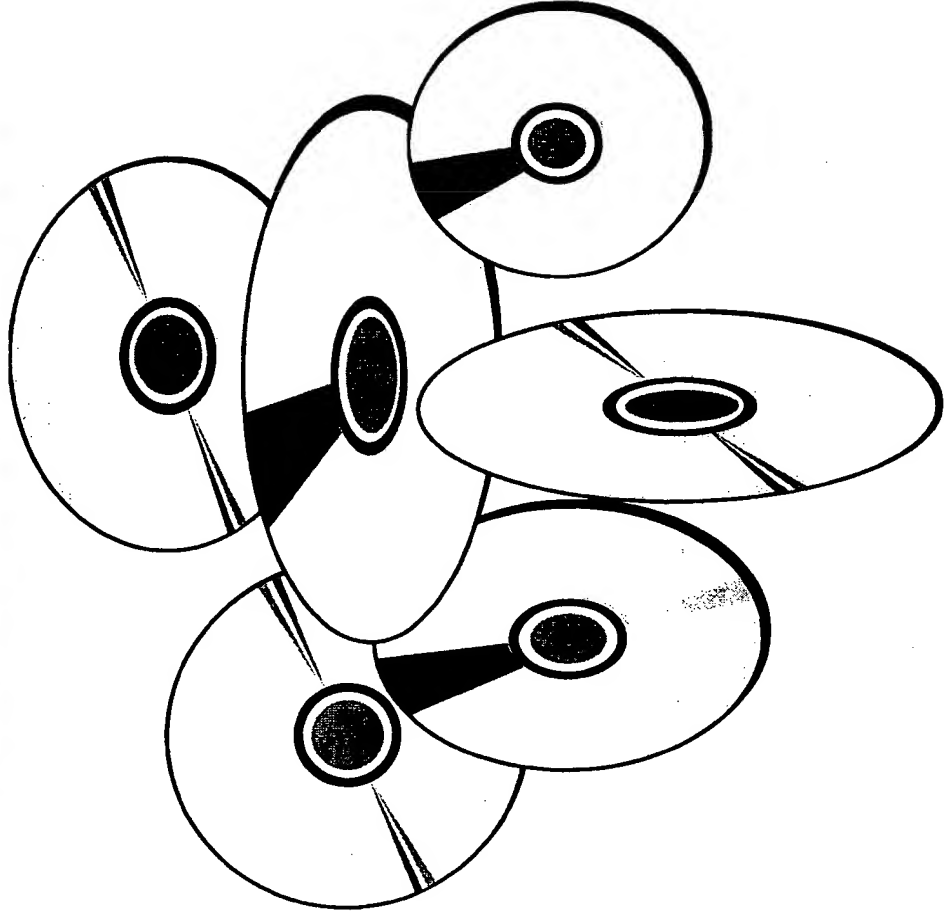
## **Invention Disclosure Form System Overview**

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# Your asset ...

- You've built a substantial collection of CD's containing all your favorite music
- the average consumer owns xx CD's
- the average audiophile owns xx CD's



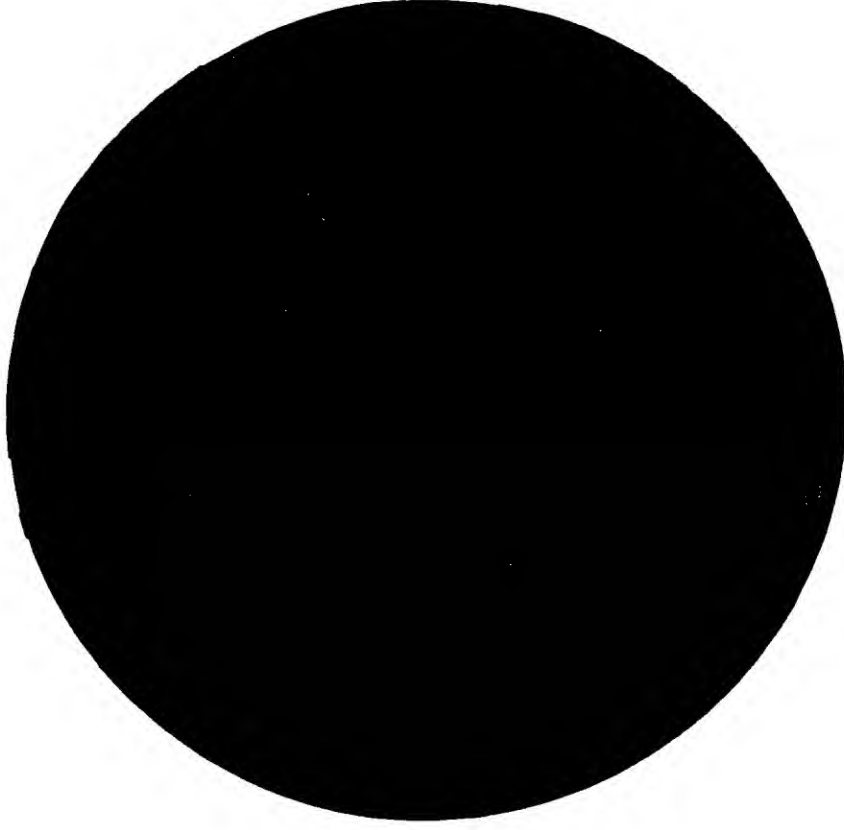
# Your problem ...

■ You want to listen to  
your music **anywhere**  
and **everywhere**

■ for the purpose of  
playing music on the  
go, away from the  
home, each year

- I xxMM personal stereos
- I xxMM car audio stereo  
head units

(sold annually)



# **Your current solution ...**

- Carry your CD's with you wherever you go
  - xxMM carrying cases
    - (sold annually)
- Record from your own collection to a portable medium
  - xxMM blank cassettes
  - xxMM blank MD's
    - (sold annually)

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# The better solution ...

# Our music!

- upload your collection to a secure server
- access it from anywhere
- via a new music device connected to the Internet in either a wired or wireless method via streaming or download options

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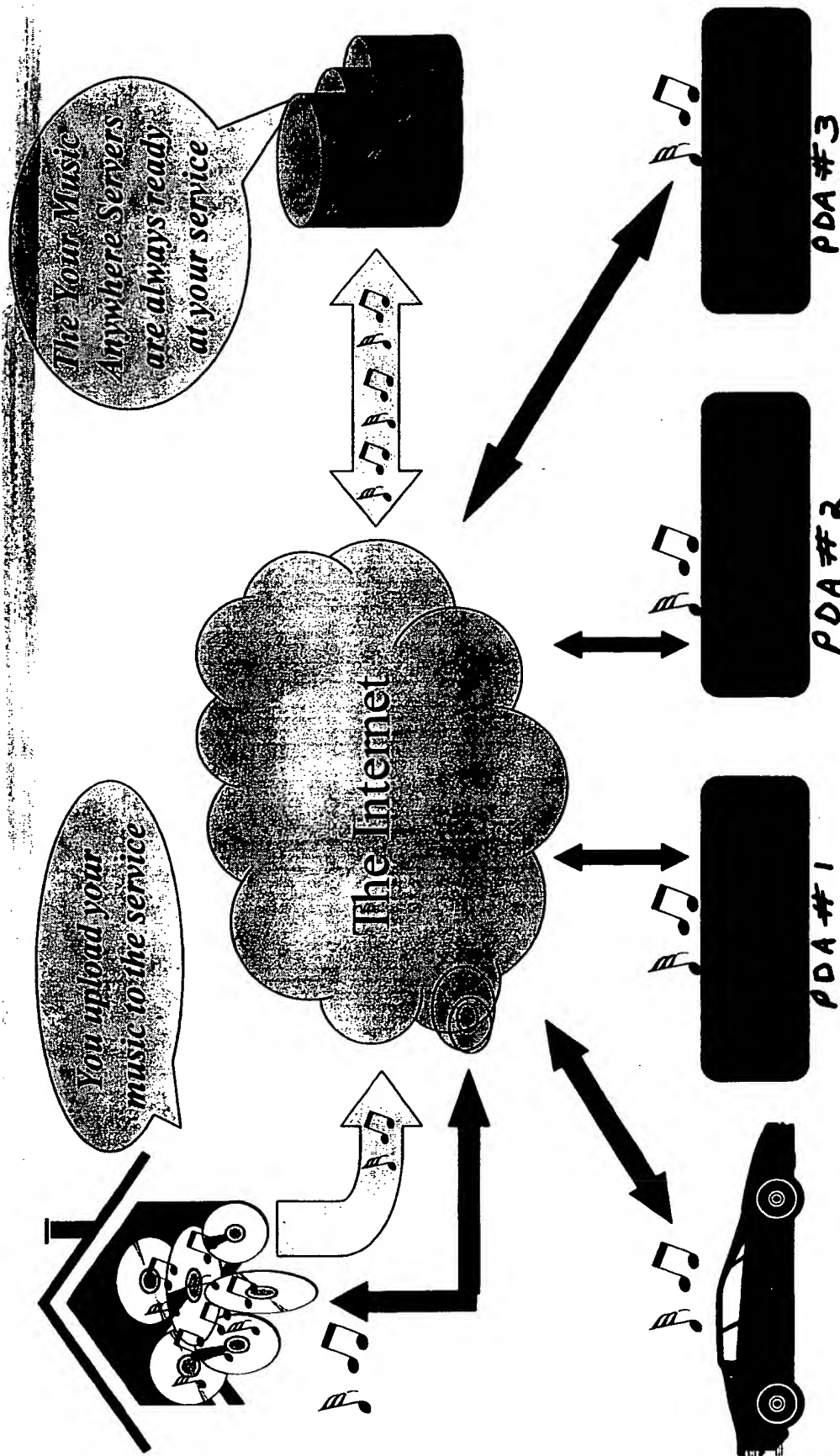
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# Your Music Anywhere

- Step #1
  - consumer uploads current music collection
    - | via a CD ROM and Net-enabled PC
    - | via Net-enabled CD player/changer
    - | via Net-enabled upload service business
- Step #2
  - | *Your Music Server* processes the upload, checking for security limitations
- Step #3
  - | You accesses *Your Music Server* via a qualified Net-enabled device
- Step #4
  - | *Your Music Server* securely delivers the music in either streaming or download formats as appropriate

# Your Music Anywhere



You finally get you finally get to enjoy all your music wherever you go!

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Gregory D. G...

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# Your Music Anywhere

- Business model basics:
  - Major server-side cost elements
    - | xxmb storage per average consumer
    - | high bandwidth backbone connection
      - potentially lengthy session times
    - | secure operation
  - Potential revenue options
    - | membership fee base
    - | micro-pay playback fee base
    - | one-time upload fee base
    - | audio advertising model delivered with music
    - | new music sales based on profiling results
    - | new device sales